

been wrongly convicted by all-White juries in Texas, clients who eventually won a pardon from Texas Governor Rick Perry. She continued her work at the ACLU, where she launched a bipartisan criminal justice reform effort, before going on to lead the Civil Rights Division of the Justice Department under President Obama.

Despite her sterling credentials, some of my Republican colleagues on the Judiciary Committee would have you believe that Ms. Gupta is some hair-raising, leftwing radical. In her hearing, Ms. Gupta was unfortunately subjected to a mind-numbingly repetitious line of questions about whether or not she supports the police or wants to decriminalize all drugs.

A conservative judicial organization launched a national ad campaign to smear her nomination. It was disgraceful. Just yesterday, a Republican Senator on the Judiciary Committee grilled another DOJ nominee, Kristen Clarke, over an obviously satirical piece she published for her college newspaper.

The political right seems to relish trying to score political points by connecting every Justice Department to hot-button partisan issues, whether or not they have any relevance, sometimes to the point of absurdity. And in the case of Ms. Gupta, the accusations of radicalism are especially false.

Ms. Gupta has worked with stakeholders and legislators from all corners, including a number of Republican Senators, during various criminal justice reform efforts. She has been endorsed by—listen to this—the National Fraternal Order of Police. Let me repeat that so my colleagues hear it. She has been endorsed by the National Fraternal Order of Police, as well as the International Association of Chiefs of Police, the Federal Law Enforcement Officers Association, and the National Sheriffs' Association. It is making the decrying that she is a crazy leftwing radical just absurd, and you wonder how and why they come to that conclusion.

Vanita Gupta will make an outstanding Associate Attorney General. The Senate should discharge her nomination from the Judiciary Committee this afternoon.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

U.S. SUPREME COURT

Mr. McCONNELL. Madam President, time and again, prominent Democrats show they are no longer content to work within the ground rules and norms of our institutions. They prefer to threaten the institutions themselves.

We have seen it in Presidential elections when Democrats say our democracy is sacrosanct when they win but illegitimate and broken if Republicans win.

We have seen it with the Senate's rules. Democrats just spent 4 years not only praising but using the legislative filibuster. But now that they hold the majority, they say it has actually been intrinsically evil all along and must be scrapped.

We are seeing it right now with voting regulations, where the mere fact that sometimes Republicans win elections has Democrats wanting to rewrite all 50 States' election laws right here in Washington and turn the Federal Election Commission into a partisan body.

And then there is the judiciary. In recent years, we have seen the Democratic leader stand on the steps of the Court and threaten that specific Justices "won't know what hit them" if they didn't rule the way he wanted. We have seen a number of Democratic Senators send a threatening brief suggesting the Court might need to be "restructured" if its rulings upset liberals.

Last week, President Biden, who was marketed to the country as a moderate and institutionalist, jumped in with both feet. He set up a pseudo-academic commission to study the merits of packing the Supreme Court. It is just an attempt to clothe this transparent power play in fake legitimacy.

But alas, the far left cannot even wait for the fake theatrics of the fake study to play out. Today, Democrats in the Senate and the House have announced they will once again threaten judicial independence from the steps of the Court. They are introducing a bill to add four new seats to the Supreme Court so that Democrats can pack the Court, destroy its legitimacy, and guarantee the rulings that liberals want.

Across the ideological spectrum, top jurists have been outspoken on what a terrible idea Court packing would be. The late liberal icon, Ruth Bader Ginsburg, explicitly warned against Court packing saying: "If anything would make the Court appear partisan, it would be that." "Nine seems to be a good number"—Justice Ginsburg.

Justice Stephen Breyer reaffirmed his own opposition just last week. The public, by the way, agrees. They see through this discredited concept. One survey late last year showed that a clear majority of Americans opposed packing the Supreme Court.

But the farthest left activists aren't interested in the common good. They want power. And the same Democrats and the same corporate media that

spent the last 4 years hyperventilating and declaring a new constitutional crisis was under way every 30 seconds seem to be perfectly content to play along.

Now, if Republicans had introduced a bill to add four Supreme Court seats for the last President to fill, there would have been weeks of wall-to-wall outrage on every newspaper and cable TV channel nonstop. Now it seems the main strategies are either to shrug off, look the other way, or to actively play along and somehow lend credence.

It is not about whether this insane bill becomes law. Part of the point here is the threats themselves. The left wants a sword dangling over the Justices when they weigh the facts in every case. As the Democratic leader threatened just 2 years ago, Democrats want the Justices to know that they will "pay the price" for rulings that Democrats don't like.

The left wants these swords dangling over the Senate and State legislators and independent judges. The threats are the point. The hostage-taking is the point. And responsible people across the political spectrum have an absolute duty to denounce this.

(The remarks of Mr. McCONNELL pertaining to the introduction of S. 1133 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

TRIBUTE TO KATELYN CONNER BUNNING

Mr. McCONNELL. Now, Madam President, on one final matter, over the years, a lot of talented Kentuckians have joined my team at the start of their careers. I have gotten to watch them hone their skills and grow into real leaders.

Unfortunately, the privilege of working with ultratalented young people also means you often see a real all-star fly the nest, and today I have to offer a reluctant goodbye.

Katelyn Conner Bunning was from Louisville. She joined my personal office almost 11 years ago. She has done just about every job there is, from answering phones to mastering policy issues.

For the last 4 years, I have relied on her extensively as my legislative director. Katelyn has been a key adviser to me, a role model to junior staffers, a key link between my leadership office and my Kentucky-focused staff. Who better to help me deliver for the Commonwealth than the daughter of a former Mr. Kentucky Basketball?

Along the way, some of the trickiest issues facing the Bluegrass have landed on Katelyn's desk: securing retired miners' pensions and healthcare, revitalizing abandoned coalfields, strengthening Kentucky schools and helping students succeed, delivering certainty for Kentucky farmers while opening new doors for industrial hemp, even protecting kids' health by raising the minimum tobacco purchase age to 21.

Last year, I asked Katelyn to take charge of improving safety and medication standards in the thoroughbred racing industry. Even as a national publication was calling to end this sport altogether, Katelyn assembled owners, trainers, jockeys, breeders, and fans to preserve Kentucky's signature industry.

This is a long list of accomplishments. Yet it is only a short summary of Katelyn's impact on my team and our Commonwealth. She has set very high standards. She has helped everyone achieve them.

We are certainly going to miss her around here, but I am sure her husband Eric and their new daughter Alice are looking forward to seeing a bit more of her every day.

So, Katelyn, thank you for your ability, for your friendship. I wish you and your family all the best.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

COVID-19 HATE CRIMES ACT—MOTION TO PROCEED—Resumed

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 937, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

NOMINATION OF VANITA GUPTA

Mr. BLUMENTHAL. Madam President, I feel very privileged to be here today to speak on behalf of Vanita Gupta, a dedicated public servant who is devoted, deeply devoted, to equal justice, civil rights, and the rule of law.

I have seen firsthand, and I know I am not the only one who has done so, her consummate dedication to the integrity of the Department of Justice, which is so vital to be restored at this moment in our history.

The support for her reflects a broad, professionally and ideologically diverse coalition of individuals and organizations that know she is eminently qualified to be Associate Attorney General.

When she is confirmed, she will not only be the first civil rights lawyer but also the first woman of color to serve as Associate Attorney General.

She is, in effect, the leader we need in that position now. And we need it

right now. The Attorney General needs her right now. He has said so. And we should be proud to confirm this eminently qualified woman. Hers is the character that the Department of Justice requires to help restore trust and credibility.

Now, the fact is that she has been a target of a smear campaign, a vial and despicable campaign of lies and deception that are completely unfounded. These attacks are based on demonstrable lies and mischaracterizations.

Her previous tenure in the civil rights division makes absolutely clear her commitment to enforcing the law with integrity and honesty, with balance and insight. She has a proven record as a consensus builder and as a leader.

And her work with law enforcement is the reason why she has such support among law enforcement leaders, and that support is across party lines. In fact, every major law enforcement organization refers and supports her nomination.

Try as they might, unfortunately, our Republican colleagues continue to smear her. She has never—she has never called for defunding the police. She has never said many of the lies that are attributed to her. And even more than being unfounded, these attacks are really the height of hypocrisy. It is unconscionable that Republicans would criticize this lifelong public servant and Justice Department veteran after they silently sat by when there was no Senate-confirmed Associate Attorney General for nearly 3 years during the Trump administration. The outrage that they feign should fall on deaf ears.

Our moment of reckoning is soon. It is not just our moment of reckoning; it is a moment of reckoning for the Nation because, in the last year, we have faced a global pandemic. We have grappled with racial justice issues that have been ignored for too long, and we have defended against an onslaught of hate and extremism.

We are at a pivotal moment. We urgently need her kind of leadership to combat domestic terrorism, extremist violence, and hate crimes. In fact, we are in the midst right now of considering a measure that will help combat hate crimes, including my No Hate legislation. We know hate crimes are surging, and Asian Americans and Pacific Islanders have been the target of them, particularly the alarming wave of vitriolic attacks most recently.

Vanita Gupta has been a leader in the fight against hate crimes. As the head of the civil rights division, she was the Nation's chief civil rights enforcer and prosecutor. And while leading that division, she also headed the first prosecutions under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, which expanded the Federal hate crime law to include, among other things, crimes motivated by a victim's sexual orientation—crimes motivated by whom a person loved.

During her confirmation hearing, she committed to using the Department of Justice tools to investigate and prosecute hate crimes where they happen and to use its bully pulpit to prevent hate from festering in communities around the country.

The plain truth is that Vanita Gupta is the right person at the right time for this job. The Senate should confirm her as supremely qualified for this eminently important assignment, and it should do so swiftly with bipartisan support.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

INFRASTRUCTURE

Mr. THUNE. Madam President, I am feeling a sense of *deja vu* this morning. In March, Democrats used reconciliation to pass a massive, partisan bill that served as a cover for a collection of payoffs to Democratic interest groups in Democratic States.

Now, just over a month later, we are facing the prospect of round 2. Democrats are once again looking at reconciliation to pass a massive, partisan piece of legislation that serves to cover a long wish list of liberal priorities. The subject this time, of course, is infrastructure—like COVID relief, a subject that Republicans are very ready to tackle, but, just like with their COVID bill, Democrats aren't showing a lot of interest in bipartisan cooperation. Once again, their message seems to be "Go along with everything we want or be completely excluded from any part of this bill."

As I said, Republicans would be happy to take up infrastructure legislation. Our Nation is overdue for additional infrastructure investment. But an infrastructure bill should be focused on actual infrastructure: roads, bridges, airports, waterways, and digital infrastructure like broadband.

Democrats have some of that in their bill, but they also have been very busy expanding the definition of "infrastructure" to include a whole host of Democratic priorities. One Democratic Senator tweeted:

Paid leave is infrastructure. Childcare is infrastructure. Caregiving is infrastructure.

Well, actually, no, they are not. Neither is the Civilian Climate Corps or community colleges or support for Big Labor. None of those things are infrastructure.

Now, it may be that some—and I say "some"—of Democrats' noninfrastructure proposals are things that we should have a discussion about here in Congress, a bipartisan discussion, but they are not infrastructure, and they